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Rights of the Child

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COMMITTEE ON THE RIGHTS OF THE CHILD

Fifth session

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 44 OF THE CONVENTION

Concluding observations of the Committee on
the Rights of the Child: Belarus

1. The Committee considered the initial report of Belarus (CRC/C/3/Add.14) at its 124th to 126th meetings (CRC/C/SR.124-126), held on 25 and 26 January 1994, and adopted* the following concluding observations:

A. Introduction

2. The Committee welcomes the ratification of the Convention by the Government of Belarus. The Committee appreciates the opportunity to engage in a dialogue with the State party and its efforts to provide further information to that contained in the initial report of Belarus submitted under the Convention.

B. Positive aspects

3. The Committee observes that Belarus is a State party to all the major international human rights instruments. Note is also taken of the recent adoption by the State party of the Rights of the Child Act and other legislative and administrative measures in an effort to address the problems facing children which serve as an indication of the importance the State party attaches to its obligations under the Convention.

4. The Committee also notes the State party's willingness to seek advice and technical assistance in developing appropriate mechanisms to implement the rights of the child.

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* At the 130th meeting, held on 28 January 1994.

C. Factors and difficulties impeding the implementation of the Convention

5. The Committee recognizes that the State party is facing serious obstacles in implementing the provisions of the Convention. It notes that significant political changes have had an impact on the legislative system and on society in general. The Committee further notes the problems related to the transition economy and that the situation of children has worsened as a consequence of growing poverty and increasing unemployment. The Committee also recognizes that the State party is experiencing major difficulties in countering the negative consequences of the Chernobyl nuclear plant disaster on the environment and on the health of the population, including children.

D. Principal subjects of concern

6. The Committee expresses its concern as to the full compatibility of national legislation, measures and programmes with the provisions and principles of the Convention, especially as regards such matters as children as the subjects of rights, family education and equal parental responsibilities. Moreover, the Committee is concerned about an apparent discrepancy in the legislation between the age for completion of mandatory education, which is 15, and the minimum age for labour, which is 16.

7. The Committee is concerned as to whether the most disadvantaged groups of children in the society have been identified and programmes have been targeted accordingly in order to ensure that adequate safety nets are in place to prevent a deterioration of the rights they are entitled to under the Convention. The situation of rural children is also a matter of general concern.

8. The Committee is concerned about the continuation of the practice of the institutionalization of children in spite of the policy adopted to the contrary and about the number of intercountry adoptions which, though still comparatively low, is on the increase.

9. The Committee expresses its concern at the health status of children, particularly in the aftermath of the Chernobyl nuclear disaster, the apparent priority given to curative health care rather than decentralized preventive health care, the low prevalence of breast feeding and the high number of abortions.

10. As regards children requiring special protection measures, the situation in relation to the administration of juvenile justice is a matter of general concern to the Committee. The Committee is also concerned that adequate measures are not being taken to protect children from exploitation through labour, the appearance of the problem of the sexual exploitation of children and the problem of drug abuse.

E. Suggestions and recommendations

11. The Committee recommends that the State party consider the possibility of establishing a permanent body to coordinate the implementation and monitoring of the rights of the child. It is also recommended that the State party prepare, as a matter of priority, a national plan of action for children. The

Committee would like to see the provisions and principles of the Convention fully integrated into this plan, particularly its articles 2, 3, 4, 6 and 12.

12. The Committee would also like to see a considerably stronger involvement of non-governmental organizations in the work of protecting and promoting the rights of the child.

13. The Committee expresses the hope that the State party will become a party to the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption of 1993 as well as the 1980 Convention on the Civil Aspects of International Child Abduction. Equally, the Committee recommends the early adoption of the Family and Marriage Law and that it take account of the need to undertake appropriate measures to address the serious problems of family breakdown in the State party.

14. The Committee would like to see a stronger emphasis placed on primary health care activities which would include the development of educational programmes to cover such matters as family education, family planning, sex education and the benefits of breast feeding. Equally, the Committee encourages the training of community health care workers to develop awareness of these subjects among the general public, including children. In addition, the Committee recommends that programmes of rehabilitation and reintegration for emotionally disturbed or traumatized children be developed.

15. The Committee recommends that the State party evaluate the adequacy of the measures it has taken to provide social security for the benefit of children. It is also suggested that programmes be carefully targeted to the needs of both rural and urban children and that adequate social safety nets are in place for the most disadvantaged groups of children.

16. In view of the significant risk of the exploitation of children through labour, particularly in the light of recent changes to national legislation, the Committee suggests that this matter be urgently addressed and that the necessary action be taken in line with the Convention and in particular its article 3 as it relates to the best interests of the child.

17. The Committee recommends that the State party, in its efforts to develop general public awareness of the Convention on the Rights of the Child, should make available the State party's report, the summary records and the concluding observations of the Committee.

18. The Committee encourages the international community to provide technical assistance and advice to the State party in its efforts to, inter alia, harmonize national legislation and measures with the Convention on the Rights of the Child, to develop a coordinating body on children's rights and to determine the targeting of programmes, the major thrust of policies and the mobilization of resources for the rights of the child. It is suggested that technical assistance should be sought from UNICEF, WHO, the Centre for Human Rights and other interested organizations. The Committee also encourages international support for measures to cope with the aftermath of the Chernobyl nuclear disaster.